

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

Alejandro De La Rosa on behalf of V.M.D.,  
a minor,

Case No. 13-10037

Plaintiff,

Honorable Nancy G. Edmunds

v.

Commissioner of Social Security,

Defendant.

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**ORDER ACCEPTING AND ADOPTING THE MAGISTRATE JUDGE'S JANUARY 16, 2014 REPORT AND RECOMMENDATION AND GRANTING IN PART PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT AND DENYING DEFENDANT'S MOTION FOR SUMMARY JUDGMENT AND REMANDING THE CASE BACK TO THE COMMISSIONER OF SOCIAL SECURITY [21]**

This matter came before the Court on the magistrate judge's January 16, 2014 report and recommendation. The magistrate judge recommended that the Court grant in part Plaintiff's motion for summary judgment and deny Defendant's motion for summary judgment. Neither party has filed objections. "[T]he failure to object to the magistrate judge's report[] releases the Court from its duty to independently review the matter." *Hall v. Rawal*, 09-10933, 2012 WL 3639070, at \*1 (E.D.Mich. Aug. 24, 2012) (citation omitted). The Court nevertheless agrees with the magistrate judge's recommendation.

Being fully advised in the premises, having read the pleadings, and for the reasons set forth above, the Court ACCEPTS and ADOPTS the magistrate judge's report and recommendation, and therefore GRANTS IN PART Plaintiff's motion for summary

judgment, DENIES Defendant's motion for summary judgment, and REMANDS the case back to the Commission of Social Security pursuant to 42 U.S.C. § 405(g).

So ordered.

s/Nancy G. Edmunds  
Nancy G. Edmunds  
United States District Judge

Dated: February 11, 2014

I hereby certify that a copy of the foregoing document was served upon counsel of record on February 11, 2014, by electronic and/or ordinary mail.

s/Johnetta M. Curry-Williams  
Case Manager  
Acting in the Absence of Carol A. Hemeyer